

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

ATTORNEY DOCKET NUMBER

250

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)

10/523,153

INTERNATIONAL APPLICATION NO.
PCT/US03/00954INTERNATIONAL FILING DATE
July 29, 2003PRIORITY DATE CLAIMED
July 29, 2002

TITLE OF INVENTION

A BULK COMMUNICATIONS PROCESS USING MULTIPLE DELIVERY MEDIAAPPLICANT(S) FOR DO/EO/US
Bird et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information in Response to Notification of Missing Requirements mailed on May 9, 2005:

1. ☐ This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ has been transmitted by International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)).
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). (*executed*)
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern document(s) or information included:
11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. Please charge my Deposit Account No. 06-1135 in the amount of \$_____ to cover the above fees.

A duplicate copy of this sheet is enclosed.
13. ☐ A FIRST preliminary amendment.
☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information: copy of Notice of Missing Requirements Under 35 U.S.C. 371 mailed May 9, 2005; Petition under 37 C.F.R. § 1.47(a) with attached documents; Petition for 3-months extension of time for response with fee charge authorization and Application Data Sheet.

CERTIFICATE OF MAILING BY "EXPRESS MAIL""Express Mail" Mailing Label Number EV 513604936 USDate of Deposit OCT 06 2005

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 CFR § 1.10 on the date indicated above and is addressed to Box PCT, Commissioner of Patents and Trademarks, Washington, D.C. 20231.

ED PRICE
(Typed or printed name of person mailing)

ED Price
(Signature of person mailing)

10/523,153

CT/US03/00954

17. ☒ The following fees are submitted:

BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)):

Search Report has been prepared by the EPO or JPO \$ 890.00

International preliminary examination fee paid to USPTO (37 CFR 1.482) \$ 710.00

No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)) \$ 740.00

Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$1040.00

International preliminary examination fee paid to USPTO (37 CFR 1.482)

and all claims satisfied provisions of PCT Article 33(2)-(4) \$ 100.00

ENTER APPROPRIATE BASIC FEE AMOUNT =

CALCULATIONS PTO USE ONLY

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☒ 30 months from the earliest claimed priority date (37 CFR 1.492(e)).

\$ 130.00

CLAIMS

NUMBER FILED

NUMBER EXTRA

RATE

Total claims

20

- 20 =

0

x

\$18.00

\$ 0.00

Independent Claims

2

- 3 =

0

x

\$84.00

\$ 0.00

MULTIPLE DEPENDENT CLAIM(S) (if applicable)

0

\$280.00

\$ 0.00

TOTAL OF ABOVE CALCULATIONS =

\$ 130.00

Applicant(s) assert entitlement to Small Entity Status, thus reducing the filing fee by half to:

\$ 65.00

SUBTOTAL =

\$ 65.00

Processing fee of \$130.00 for furnishing the English translation later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492(f)).

\$

TOTAL NATIONAL FEE =

\$ 65.00

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property.

\$ 0.00

TOTAL FEES ENCLOSED =

\$ 65.00

10/13/2005 ATRAN1 00000103 061135 10523153

01 FC:2617 65.00 DA

AMOUNT TO BE:

Refunded

\$

Charged

\$

18. ☐ A check in the amount of \$_____ to cover the above fees is enclosed.19. ☒ Please charge my Deposit Account No. 06-1135 in the amount of \$ 65.00 to cover the above fees. A duplicate copy of this sheet is enclosed. (Trans. No. 25425)20. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 06-1135. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

FITCH, EVEN, TABIN & FLANNERY
120 South LaSalle Street, Suite 1600
Chicago, IL 60603-3406 U.S.A.Telephone: (312) 577-7000
Facsimile: (312) 577-7007

SIGNATURE

Kenneth H. Samples

NAME

25,747

REGISTRATION NUMBER



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

JP/1215/US

U.S. APPLICATION NUMBER NO. 10/523,153	FIRST NAMED APPLICANT Nicholas Rowland Bird	ATTY. DOCKET NO. 1897-83950
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INTERNATIONAL APPLICATION NO.

PCT/US03/00954

I.A. FILING DATE 07/29/2003	PRIORITY DATE 07/29/2002
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Fitch Even Tabin & Flannery
120 South LaSalle Street
Suite 1600
Chicago, IL 60603-3406

DOCKETED

MAY 16 2005

BY

[Signature]

CONFIRMATION NO. 8686

371 FORMALITIES LETTER



OC000000015967062

Date Mailed: 05/09/2005

Due 7/9/05

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 01/27/2005
- Copy of the International Search Report filed on 01/27/2005
- Copy of IPE Report filed on 01/27/2005
- Oath or Declaration filed on 01/27/2005
- U.S. Basic National Fees filed on 01/27/2005
- Specification filed on 01/27/2005
- Claims filed on 01/27/2005
- Abstracts filed on 01/27/2005
- Drawings filed on 01/27/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$65 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Late oath or declaration Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PAULETTE R KIDWELL

Telephone: (703) 308-9140 EXT 216

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/523,153	PCT/US03/00954	83950

FORM PCT/DO/EO/905 (371 Formalities Notice)